

1 AN ACT concerning education.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The School Code is amended by changing Section  
5 27-9.1 as follows:

6 (105 ILCS 5/27-9.1) (from Ch. 122, par. 27-9.1)

7 Sec. 27-9.1. Sex Education.

8 (a) No pupil shall be required to take or participate in  
9 any class or course in comprehensive sex education if his  
10 parent or guardian submits written objection thereto, and  
11 refusal to take or participate in such course or program shall  
12 not be reason for suspension or expulsion of such pupil. Each  
13 class or course in comprehensive sex education offered in any  
14 of grades 6 through 12 shall include instruction on the  
15 prevention, transmission and spread of AIDS. Nothing in this  
16 Section prohibits instruction in sanitation, hygiene or  
17 traditional courses in biology.

18 (b) All public elementary, junior high, and senior high  
19 school classes that teach sex education and discuss sexual  
20 intercourse shall emphasize that abstinence is the expected  
21 norm in that abstinence from sexual intercourse is the only  
22 protection that is 100% effective against unwanted teenage  
23 pregnancy, sexually transmitted diseases, and acquired immune  
24 deficiency syndrome (AIDS) when transmitted sexually.

25 (c) All sex education courses that discuss sexual  
26 intercourse shall satisfy the following criteria:

27 (1) Course material and instruction shall be age  
28 appropriate.

29 (2) Course material and instruction shall teach honor  
30 and respect for monogamous heterosexual marriage.

31 (3) Course material and instruction shall stress that  
32 pupils should abstain from sexual intercourse until they

1 are ready for marriage.

2 (4) Course material and instruction shall include a  
3 discussion of the possible emotional and psychological  
4 consequences of preadolescent and adolescent sexual  
5 intercourse outside of marriage and the consequences of  
6 unwanted adolescent pregnancy.

7 (5) Course material and instruction shall stress that  
8 sexually transmitted diseases are serious possible hazards  
9 of sexual intercourse. Pupils shall be provided with  
10 statistics based on the latest medical information citing  
11 the failure and success rates of condoms in preventing AIDS  
12 and other sexually transmitted diseases.

13 (6) Course material and instruction shall advise  
14 pupils of the laws pertaining to their financial  
15 responsibility to children born in and out of wedlock.

16 (7) Course material and instruction shall advise  
17 pupils of the circumstances under which it is unlawful for  
18 males to have sexual relations with females under the age  
19 of 18 to whom they are not married pursuant to Article 12  
20 of the Criminal Code of 1961, as now or hereafter amended.

21 (8) Course material and instruction shall teach pupils  
22 to not make unwanted physical and verbal sexual advances  
23 and how to say no to unwanted sexual advances. Pupils shall  
24 be taught that it is wrong to take advantage of or to  
25 exploit another person. The material and instruction shall  
26 also encourage youth to resist negative peer pressure.

27 (9) (Blank). ~~Course material and instruction shall~~  
28 ~~advise pupils of the provisions of the Abandoned Newborn~~  
29 ~~Infant Protection Act (325 ILCS 2/) as well as provide~~  
30 ~~information about responsible parenting and the~~  
31 ~~availability of confidential adoption services.~~

32 (d) An opportunity shall be afforded to parents or  
33 guardians to examine the instructional materials to be used in  
34 such class or course.

35 (Source: P.A. 93-88, eff. 7-2-03.)

1 Section 10. The Critical Health Problems and Comprehensive  
2 Health Education Act is amended by changing Section 3 as  
3 follows:

4 (105 ILCS 110/3) (from Ch. 122, par. 863)

5 Sec. 3. Comprehensive Health Education Program. The  
6 program established under this Act shall include, but not be  
7 limited to, the following major educational areas as a basis  
8 for curricula in all elementary and secondary schools in this  
9 State: human ecology and health, human growth and development,  
10 the emotional, psychological, physiological, hygienic and  
11 social responsibilities of family life, including sexual  
12 abstinence until marriage, prevention and control of disease,  
13 including instruction in grades 6 through 12 on the prevention,  
14 transmission and spread of AIDS, public and environmental  
15 health, consumer health, safety education and disaster  
16 survival, mental health and illness, personal health habits,  
17 alcohol, drug use, and abuse including the medical and legal  
18 ramifications of alcohol, drug, and tobacco use, abuse during  
19 pregnancy, sexual abstinence until marriage, tobacco,  
20 nutrition, and dental health. The program shall also provide  
21 course material and instruction to advise pupils of the  
22 Abandoned Newborn Infant Protection Act. Notwithstanding the  
23 above educational areas, the following areas may also be  
24 included as a basis for curricula in all elementary and  
25 secondary schools in this State: basic first aid (including,  
26 but not limited to, cardiopulmonary resuscitation and the  
27 Heimlich maneuver), early prevention and detection of cancer,  
28 heart disease, diabetes, stroke, and the prevention of child  
29 abuse, neglect, and suicide. The school board of each public  
30 elementary and secondary school in the State shall encourage  
31 all teachers and other school personnel to acquire, develop,  
32 and maintain the knowledge and skills necessary to properly  
33 administer life-saving techniques, including without  
34 limitation the Heimlich maneuver and rescue breathing. The  
35 training shall be in accordance with standards of the American

1 Red Cross, the American Heart Association, or another  
2 nationally recognized certifying organization. A school board  
3 may use the services of non-governmental entities whose  
4 personnel have expertise in life-saving techniques to instruct  
5 teachers and other school personnel in these techniques. Each  
6 school board is encouraged to have in its employ, or on its  
7 volunteer staff, at least one person who is certified, by the  
8 American Red Cross or by another qualified certifying agency,  
9 as qualified to administer first aid and cardiopulmonary  
10 resuscitation. In addition, each school board is authorized to  
11 allocate appropriate portions of its institute or inservice  
12 days to conduct training programs for teachers and other school  
13 personnel who have expressed an interest in becoming qualified  
14 to administer emergency first aid or cardiopulmonary  
15 resuscitation. School boards are urged to encourage their  
16 teachers and other school personnel who coach school athletic  
17 programs and other extracurricular school activities to  
18 acquire, develop, and maintain the knowledge and skills  
19 necessary to properly administer first aid and cardiopulmonary  
20 resuscitation in accordance with standards and requirements  
21 established by the American Red Cross or another qualified  
22 certifying agency. No pupil shall be required to take or  
23 participate in any class or course on AIDS or family life  
24 instruction if his parent or guardian submits written objection  
25 thereto, and refusal to take or participate in the course or  
26 program shall not be reason for suspension or expulsion of the  
27 pupil.

28 Curricula developed under programs established in  
29 accordance with this Act in the major educational area of  
30 alcohol and drug use and abuse shall include classroom  
31 instruction in grades 5 through 12. The instruction, which  
32 shall include matters relating to both the physical and legal  
33 effects and ramifications of drug and substance abuse, shall be  
34 integrated into existing curricula; and the State Board of  
35 Education shall develop and make available to all elementary  
36 and secondary schools in this State instructional materials and

1 guidelines which will assist the schools in incorporating the  
2 instruction into their existing curricula. In addition, school  
3 districts may offer, as part of existing curricula during the  
4 school day or as part of an after school program, support  
5 services and instruction for pupils or pupils whose parent,  
6 parents, or guardians are chemically dependent.

7 (Source: P.A. 92-23, eff. 7-1-01.)

8 Section 90. The State Mandates Act is amended by adding  
9 Section 8.30 as follows:

10 (30 ILCS 805/8.30 new)

11 Sec. 8.30. Exempt mandate. Notwithstanding Sections 6 and 8  
12 of this Act, no reimbursement by the State is required for the  
13 implementation of any mandate created by this amendatory Act of  
14 the 94th General Assembly.

15 Section 99. Effective date. This Act takes effect upon  
16 becoming law.